

Message Text

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ACTION EA-12

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FM AMEMASSY KUALA LUMPUR

TO SECSTATE WASHDC 4177

IFO RUMTBK/AMEMBASSY BANGKOK 104

AMEMBASSY JAKARTA

AMEMBASSY MANILA

AMEMBASSY SINGAPORE

CINCPAC HONOLULU HI

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CINCPAC FOR POLAD

E. O. 11652: N/A

TAGS: PING, PGOV, MY

SUBJ: LIM KIT SIANG TRIAL FOR SECRECY ACT VIOLATIONS

REF: KUALA LUMPUR 3590

1. THE HIGH COURT DECIDED APRIL 28 TO ORDER SEPARATE TRIALS FOR DEMOCRATIC ACTION PARTY (DAP) SECRETARY GENERAL AND OPPOSITION LEADER LIM KIT SIANG AND DAP NATIONAL ORGANIZING SECRETARY P. PATTO FOR THE CHARGES AGAINST THEM UNDER THE OFFICIAL SECRETS ACT (SEE REFTEL). LIM'S TRIAL HAS BEEN SET FOR JULY 17, BUT NO DATE HAS YET BEEN SET FOR PATTO'S TRIAL.

2. THERE HAS BEEN LITTLE MEDIA COVERAGE OF THE ARRESTS OF LIM AND PATTO SINCE THE APRIL 28 HIGH COURT SESSION. ONE DAP OFFICIAL TOLD REPORTERS THAT THE PARTY WAS CONSIDERING BOYCOTTING THE COMING ELECTIONS OF DISSOLVING THE DAP IN PROTEST AGAINST THE "POLITICALLY LIMITED OFFICIAL USE

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MOTIVATED"ARRESTS. LIM HIMSELF DENIED THIS THE NEXT DAY AND SAID THAT THE DAP WOULD NOT FALL INTO THE GOM "TRAP" AND SUBMIT MEEKLY BUT WOULD CONTINUE TO WAGE A VIGOROUS POLITICAL CAMPAIGN. (WE WERE TOLD BY A THIRD DAP POLITICAN THAT THE FIRST ANNOUNCEMENT AND LIM'S REBUTTAL WERE BOTH STAGED TO DRUM UP A LITTEL MORE VOTER INTEREST IN THE ARRESTS; THE POLITICIAN SAID THAT THE DAP HAD BEEN DISAPPOINTED AT THE INITIAL APATHY OF POTENTIAL SUPPORTERS.)

THE ONLY OTHER SIGNIFICANT PUBLIC STATEMENT ON THE CASE WAS A STATEMENT BY MINISTER OF LAW DATUK HAMZAH THAT THE ARRESTS WERE NOT POLITICALLY MOTIVATED AND A WARNING TO THE DAP NOT TO HARP ON THE MATTER FOR POLITICAL GAIN SINCE IT IS SUB JUDICE.

3. COMMENT: THE LOW-KEY PRESS COVERAGE AFTER THE FIRST FEW DAYS FOLLOWING THE ARRESTS AND HAMZAH'S WARNING ARE CLEAR SIGNS THE GOM WILL NOT ALLOW THE DAP MUCH LEEWAY IN PORTRAYING LIM AND PATTO AS POLITICAL MARTYRS. WE DO FIND THE TIMING OF LIM'S ACTUAL TRIAL DATE CURIOUS SINCE THE GENERAL ELECTIONS ARE MOST COMMONLY PREDICTED FOR JULY AND ONCE LIM IS IN PUBLIC COURT IT WILL BE DIFFICULT FOR THE GOVERNMENT TO PREVENT HIS EXPLOITING HIS PLIGHT AMONG SYMPATHETIC NON-MALY VOTERS. THE JULY 17 TRIAL DATE MAY MEAN ELECTIONS WILL BE HELD BEFORE THEN. ON THE OTHER HAND, A DAP MP HAS TOLD US THAT HE BELIEVES THE GOM HAS A VALID CASE AGAINST LIM(ALTHOUGH HE SAID HE THINKS THE LAW IS HARSH AND UNFAIR), AND THE GOM MAY BE COUNTING ON CONVICTING LIM IN THE MIDST OF THE CAMPAIGN TO DISCREDIT HIM, WITH LITTLE CONCERN FOR THE IMAGE LIM CAN CREATE FOR HIMSELF AMONG ALREADY COMMITTED VOTERS. MILLER

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